

CPA/1647

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING OF CONTINUED PROSECUTION APPLICATION UNDER RULE 53(d)
--FOR DESIGN APPLICATION OR FOR 1st CPA AFTER MAY 29, 2000 IN UTILITY APPLICATION FILED BEFORE MAY 29, 2000--

Pursuant to 37 CFR 1.53(d), please file a **NOV 05 2001**
 continuation/ divisional
 of the pending prior PATENT APPLICATION of:
 Inventor: Elmore
 Serial No. 08/981,087
 Filed: May 27, 1998
 For: TYPE F BOTULINUM TOXIN AND USE THEREOF

Assistant Commissioner for Patents
 Washington, DC 20231
 Sir:

This request for filing under Rule 53(d) is made by the following named inventor(s) (using the above-identified title):
 Inventor(s): Elmore

Please delete the following inventors in the CPA:
 Deleted persons:
 A new oath/declaration is attached for any newly named inventor(s).
 Priority is hereby claimed under 35 USC 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
9511909.5	United Kingdom	12 June 1995
PCT/GB96/01409	Great Britain	12 June 1996

certified copy(ies) of foreign application(s) attached OR
 already filed on _____ in prior appln No. _____ filed _____
 already filed in PCT/GB96/01409 filed 12 June 1996
 Address all future communications to: Nixon & Vanderhye P.C., 1100 N. Glebe Road, 8th Floor, Arlington, VA 22201
 Applicant claims "small entity" status. "Small entity" statement attached.
 Please enter the previously unentered Second Amendment Under Rule 116 and Request for Reconsideration of Petition, filed on October 5, 2001.
 The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.
 Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:
 Also attached: Information Disclosure Statement ; Non-Publication Request; Other:

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee	\$	740.00
Total effective claims 24 - 20 (at least 20) = 4 x \$ 18.00	\$	72.00
Independent claims 4 - 3 (at least 3) = 1 x \$ 84.00	\$	84.00
If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)	\$	

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) \$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 0.00

Less month extension previously paid on	\$	0.00
	SUBTOTAL	\$ 896.00
If "small entity," then enter half (1/2) of subtotal and subtract	\$	0.00
	SECOND SUBTOTAL	\$ 896.00
Assignment Recording Fee (\$40.00)	\$	0.00
	TOTAL FEE ENCLOSED	\$ 896.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

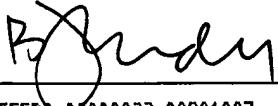
1100 North Glebe Road, 8th Floor
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 Telephone: (703) 816-4000
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 BJS:eaw

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NIXON & VANDERHYE P.C.
 By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 

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01 FC:102

02 FC:103

BOX CPA
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 CENTER 1600/2900
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 M.G.J
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